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The Wrongs of Tort by Joanne Conaghan This book challenges the assumption in law education that tort is 'objective', 'neutral' and 'apolitical', and reveals how it is imbued with politics. The authors argue that the system of tort is usually hidden from students and lawyers, and that this is unacceptable because the system is arbitrary, and its underlying ideology callous.

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'Coherently brings together many of the arguments that the left has pressed against tort law' Cambridge Law Journal'Its great strength lies in its uncompromising critique of the traditional textbook analyses of tort doctrine as a logical, neutral and inevitable development of peculiarly legal categories' Modern Law ReviewThis new edition of The Wrongs of Tort has been thoroughly updated to take account of the many new developments since its original publication in 1993 - without losing any of the spirit or vigour of the original text. It challenges the assumption in law education that tort is 'objective', 'neutral' and 'apolitical', and

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reveals how it is imbued with politics. The authors argue that the system of tort is usually hidden from students and lawyers, and that this is unacceptable because the system is arbitrary, and its underlying ideology callous. This controversial book challenges the prevailing orthodoxy, and continues to shed light on the dusty annals of traditional tort doctrine.

"Recognizing Wrongs is about tort law, also commonly known as

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"personal injury law." The book's central thesis is that tort law fulfills a basic obligation that government owes to each of us: to provide law that defines and proscribes a special class of wrongs - wrongs that involve one person mistreating another - and to provide a means for victims of such wrongs to obtain redress from those who have wronged them. This book aims to recover the traditional understanding of tort law by helping readers to recognize what it is all about. It does so by offering a systematic statement of a theory now known in academic circles as "civil recourse theory." In providing a comprehensive statement of that theory, the book aims to unseat both the leading philosophical theory of tort law - corrective justice theory, as put forward by Jules Coleman, John Gardner, Arthur Ripstein, Ernest Weinrib, and others - as well as the economic approach favored by scholars such as Guido Calabresi

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Tort law recognizes the many ways one person wrongs another. Arthur Ripstein brings coherence to torts ' diversity in a philosophically grounded, analytically powerful theory. He shows that all torts violate the basic moral idea that each person is in charge of his or her own person and property, and never in charge of another ' s person or property.

The law of torts recognises many defences to liability. While some of these defences have been explored in detail, scant attention has been given to the theoretical foundations of defences generally. In particular, no serious attempt has been made to explain how defences relate to each other or to the torts to which they pertain.

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The goal of this book is to reduce the size of this substantial gap in our understanding of tort law. The principal way in which it attempts to do so is by developing a taxonomy of defences. The book shows that much can be learned about a given defence from the way in which it is classified. This book has been awarded Joint Second Prize for the 2014 Society of Legal Scholars Peter Birks Prize for Outstanding Legal Scholarship.

Presents Maimonides' complete tort theory, and how it compares with other tort theories both in the Jewish world and beyond.

On July 27, 2000 the House of Lords delivered a decision where, for the first time in English law, it explicitly recognised that damages for civil wrongs can be assessed by reference to a defendant

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(wrongdoer)'s gain rather than a claimant's loss. The circumstances in which such gain-based damages might be available were left for development incrementally. This book considers the nature of gain-based damages and explains when they have historically been available and why, and provides a framework for appreciating the operation of such damages awards. The first part of the book justifies the existence of these damages, which focus upon a defendant wrongdoer's gain made as a result of a civil wrong, explaining the nature and need for such a remedy and the scope of civil wrongs. The core thesis of the book is that two different forms of such gain-based damages exist: the first is concerned with restitution of a defendant's gains wrongfully transferred from a claimant; the second is concerned only with stripping profits from the defendant's hands. Once these two gain-based damages awards

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are separated they can be shown to be based upon different rationales and the basis for their availability can be easily understood. The second part of the book considers and applies this approach, demonstrating its operation throughout the cases of civil wrongs. The operation of the two forms of gain-based damages is demonstrated in cases in the area of tort (chapter 4), contract (chapter 5), equitable wrongs (chapter 6) and intellectual property wrongs (chapter 7). It is shown that these gain-based damages awards have long been available in these areas and their operation has conformed to clear principle. The difficulty that has obscured the principle is the nomenclature which has hidden the true gain-based nature of many of these damages awards.

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